

REMARKS

In the Office Action¹, the Examiner rejected claims 3 and 8 under 35 U.S.C. § 112, second paragraph; and rejected claims 1-9 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,766,362 to Miyasaka et al. ("*Miyasaka*");

Applicant has amended claims 1, 5, 6, and 9 and canceled claims 3 and 8. Claims 1, 2, 4-7, and 9 remain pending in this application.

Regarding the rejection of claims 3 and 8 under 35 U.S.C. §112, second paragraph, the Examiner states that "'said selection means makes display on said display section, selected display information other than said selected and displayed selected display information' fails to particularly point out exactly what is 'selected display information other than selected display information.' The language is confusing" (Office Action at page 2). In response, Applicant has canceled claims 3 and 8. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Applicant respectfully traverses the rejection of claims 1-9 under 35 U.S.C. § 102(e) as being anticipated by *Miyasaka*. In order to properly establish that *Miyasaka* anticipates Applicant's claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9
U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Claim 1 recites an electronic apparatus comprising:

a display means . . .

a housing means . . .

a selection means for selecting a first constitutive element for displaying screen layout options on said screen, and a second constitutive element for displaying a source of information according to said selected display information displayed on said screen; and

a generation means . . .

(emphasis added). *Miyasaka* does not disclose each and every element of Applicant's claimed invention.

Miyasaka discloses "a computer-network based newspaper having content that can be selected and presented in a form according to personal preferences of an individual recipient" (col. 1, lines 60-63). Individuals can register for a new subscription, designate topics of interest, specify subtopics and keywords, select a format, specify a schedule for generation and delivery, and specify an e-mail address (col. 4, line 49 - col. 5, line 57 and Fig. 5A-5F).

In *Miyasaka*, the user may enter topics of interest and keywords and the system will search a database for documents that match the search criteria. The user does not select the "source of information" that is displayed. Therefore, *Miyasaka* does not teach or suggest the claimed combination of elements including "a selection means for selecting a first constitutive element for displaying screen layout options on said screen and a second constitutive element for displaying a source of information according to said selected display information displayed on said screen," as recited in claim 1.

Miyasaka fails to teach the claimed subject matter, including at least these required elements. Accordingly, *Miyasaka* cannot anticipate claim 1. Thus, claim 1 is allowable for at least these reasons. Claims 2 and 4 are also allowable at least due to their depending from claim 1. Independent claims 5, 6, and 9, though of different scope from claim 1, recite limitations similar to those set forth above with respect to claim 1 and are thus allowable over *Miyasaka* for at least the same reasons discussed above in regard to claim 1. Claim 7 is also allowable at least due to its depending from claim 6.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 16, 2007

By: /David W. Hill/
David W. Hill
Reg. No. 28,220